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ORIGINAL

PATENT APPLICATION

ATTORNEY DOCKET NO. 200301798-2

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Diane LEBEL et al.

Confirmation No.: 8151

Application No.: 10/682,041

Examiner: N. A. Jalil

Filing Date: 10/09/2003

Group Art Unit: 2165

Title: METHOD AND APPARATUS FOR ASYNCHRONOUS FILE WRITES IN A DISTRIBUTED FILE SYSTEM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 08/05/2005, rejecting the following claims 1-17, 25-42, & 49-66.
The fee for this Notice of Appeal is (37 CFR 1.17(b)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( ) one month	$120.00
( ) two months	$450.00
( ) three months	$1020.00
( ) four months	$1590.00

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( ) The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of **$500.00**. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on 09/13/2005

Number of pages: 2

Typed Name: Jessica R. Boeddeker

Signature: _____

Respectfully submitted,

Diane LEBEL et al.

By _____

Jonathan M. Harris

Attorney/Agent for Applicant(s)
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Date: 09/13/2005

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PAGE 1/2 * RCVD AT 9/13/2005 3:51:28 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/35 * DNIS:2738300 * CSID:7132388008 * DURATION (mm-ss):01-00